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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,792	07/26/2001	Terence M. Clifton	2000.049900	7458
23720	7590	08/24/2004	EXAMINER	
WILLIAMS, MORGAN & AMERSON, P.C. 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			DIMYAN, MAGID Y	
			ART UNIT	PAPER NUMBER
			2825	

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/915,792	<b>Applicant(s)</b> CLIFTON ET AL.	
	<b>Examiner</b> Magid Y Dimyan	<b>Art Unit</b> 2825	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Acknowledgement***

1. Receipt is acknowledged of the Response to Restriction Requirement Dated July 9, 2004, filed on July 21, 2004. The Examiner concurs with the Applicants that Group I (claims 1 – 8 and 16) should be rejoined with Group II (claims 9 – 15) for the prosecution of this application. Thus, claims 1 – 16 remain pending.

### ***Drawings***

2. The drawings are objected to because: (a) in Figure 3, block 340 the word "Frequencies" is misspelled; and (b) in Figure 4, the descriptions for the X axis and the Y axis are missing both in the drawing as well as in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining

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figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The disclosure is objected to because of the following informalities: the description in the specification with reference to Figure 4 is too brief and inadequate. There is no explanation or description of what the X and Y-axes represent in either the specification or in Figure 4. Also, on page 3, line 12, delete "5,964,844" and insert --5,964,884--.

Appropriate correction is required.

### ***Claim Objections***

4. Claims 9 – 15 are objected to because of the following informalities: the claim language “adapted to” used in all these claims is objected to. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 – 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,964,884 to Partovi et al. (hereinafter, “Partovi”).

6. Referring to claim 1, Partovi discloses a method for determining critical timing path sensitivities of macros in an IC (see Fig. 4; col. 6, line 63 to col.7, line 15), comprising: (a) configuring a timing parameter of a particular macro in the IC (see also col. 6, lines 43 – 46); (b) determining maximum frequency (see also col. 7, lines 16 – 35); (c) changing timing parameter of the macro and again determining maximum frequency (again see col. 7, lines 15 – 35); and (d) determine contribution of the macro to a critical timing path based on these

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maximum frequency determinations (col. 7, lines 21 – 33). Thus, Partovi cites all the claimed elements.

7. As per claim 2, see (5) above, as well as the Abstract; Figs. 2 and 4, which show the STPC element claimed herein.

8. Referring to claims 3 – 7, see (5) and (6) above, as well as col. 2, lines 8 – 20; col. 7, line 60 to col. 8, line 5 which teach how the timing parameter of a macro can be controlled by increasing or decreasing the STPC parameter as claimed, and also shows its effect on the critical path timing based on the maximum frequency. All the limitations of the claim are thus recited.

9. As for claim 8, see Abstract; col. 7, lines 15 – 33 which teach how the default setting of the STPC of a macro can be used to optimize a critical path timing in a design, as claimed.

10. Claims 9 and 16 contain the same limitations as claim 1, and therefore the same rejections apply.

11. Claims 10 – 15 contain the same limitations as claims 2 – 7, respectively, and thus the same rejections apply.


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### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magid Y Dimyan whose telephone number is (571) 272-1889. The examiner can normally be reached on Monday - Friday 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S Smith can be reached on (571) 272-1907. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**LEIGH M. GARBOWSKI**  
**PRIMARY EXAMINER**

Magid Y Dimyan  
Examiner  
Art Unit 2825

myd  
18 August 2004